



"The City With a Heart"

Perry Petersen, *Chair*
Joe Sammut, *Vice Chair*
Rick Biasotti
Mary Lou Johnson
Kevin Chase
Sujendra Mishra
Bob Marshall, Jr.

MINUTES PLANNING COMMISSION MEETING

August 16, 2011

7:00 p.m.

Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno

CALL TO ORDER at 7:01 pm.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Petersen	X	
Vice Chair Sammut	X	
Commissioner Biasotti	X	
Commissioner Marshall	X	
Commissioner Mishra	X	
Commissioner Chase	X	Arrived at 7:08
Commissioner Johnson	X	

STAFF PRESENT:

Planning Division: Community Development Director: Aaron Aknin
Associate Planner: Laura Russell
Assistant Planner: Matt Neuebaumer
Contract Associate Planner: Tony Rozzi
Recording Secretary: Shauna Williams

Pledge of Allegiance: Commissioner Biasotti

1. Approval of Minutes – July 19, 2011

Motion to Approve Minutes of July 19, 2011 Planning Commission meeting.

Biasotti/ Sammut

VOTE: 6-0
AYES: All Commissioners Present at that time.
NOES: None
ABSTAIN: None

2. Communication

E-Packets are available on line at www.sanbruno.ca.gov

Draft Transit Corridor Plan is available on line at www.planbruno.org

3. Public Comment - None

4. Announcement of Conflict of Interest

5. Public Hearings

A. 980 Easton Avenue

Request for a Use Permit to allow an addition which increases the gross floor area by greater than 50% cumulatively (67%) per Sections 12.200.030.B.1, of the San Bruno Municipal Code. Gloria Li (Applicant), Rong Li (Owners) UP-11-009.

Assistant Planner Neuebaumer: Entered staff report.

Staff recommends that the Planning Commission approve Use Permit 11-009 based on Findings of Fact 1-7 and Conditions of Approval 1-24.

Chair Petersen asked Commission if there were any questions for staff.

None.

Public Comment Opened.

Gloria Li; Applicant: Staff did a great job presenting the proposed project. I am available for any questions.

Public Comment Closed.

Commissioner Marshall: As of July 2011, Co2 detectors are required in all residential homes. Should we add that to the Condition of Approval that states smoke alarms are required?

CD Director Akin: That is correct, they are required at each floor of the residence.

Commissioner Marshall: Are they required to be hard-wired? If so, that would be an expensive cost for homeowners.

CD Director Akin: I am unaware of that detail. I believe the laws states that they have to be installed and does not include an installation method. I will follow up with the Building Official on the correct verbiage.

Chair Petersen: On an item such as Co2 detectors, it is covered in the building permit process, right?

CD Director Akin: Correct. There are several other conditions that are covered under other laws and the Planning Departments position is to warn the applicant of those requirements ahead of time.

Motion to approve Use Permit 11-009 based on Findings of Fact (1-7) and Conditions of Approval (1-24).

Commissioner Sammut/ Marshall

VOTE: 5-0

AYES: All Commissioners Present.

NOES: None

ABSTAIN: None

Chair Petersen advised of a 10-day appeal period

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.
3. The proposed development will be consistent with the general plan.
4. The proposed development, as set forth on the plans, and with recommendations by staff, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.
7. That any proposed single-family or two-family dwelling conforms to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time.

CONDITIONS OF APPROVAL

Community Development Department - (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 11-009 shall not be valid for any purpose. Use Permit 11-009 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included on a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on August 16, 2011 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall

not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code or as storage. The residence must have the ability to park one vehicle in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
9. Prior to Final Inspection, 15% of the site shall be landscaped and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director. The applicant shall submit a complete landscaping plan at the time of building permit submittal. No more than 80% of the lot shall consist of impervious surface.
10. The developer shall indemnify, defend, and hold harmless the city, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the city's consideration and/or approval of the developer's application for development.

Department of Public Services - (650) 616-7065

11. Please note that the front property line is located 2.0 feet behind the sidewalk at Easton Avenue. No fences, retaining walls, or other permanent structure shall be placed or constructed within 2.0 feet from back of sidewalk along Easton Avenue. S.B.M.C. 8.08.010.
12. The Applicant shall provide flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2010.
13. Encroachment Permit from Public Works Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010.
14. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
15. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Easton Avenue . S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.

16. If not present, the applicant shall install a sanitary sewer lateral clean-out at property line per City standards detail SS-01
17. Paint address number on face of curb near driveway approach. Black lettering on white background.
18. Erosion control plan and storm water pollution prevention plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.
19. Storm water from new and existing roof down spouts and other on-site drainage, shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03.
20. The building permit plans shall include a site plan that shows all properly lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.MC. 12.16.020
21. Perform water demand calculation based requirements in Chapter 7 of the California Plumbing Code to confirm that the existing water service and meter are sufficient to serve water demand. If existing meter is undersized, a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of water meter. S.B.M.C. 10.14.020/110.

Fire Department- (650) 616-7096

22. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
23. Provide hard-wired smoke detectors with battery backup as required by building code.
24. Provide spark arrester for chimney if not currently in place.

B. 114 Acacia Avenue

Request for a Use Permit to allow the construction of a new home which increases the gross floor area of the existing home by greater than 50% (63%), and exceeds the 44% lot coverage requirement (45%) per Sections 12.200.030.B.1 and 12.200.030.B.3 of the San Bruno Municipal Code. Jerry Kuhel (Applicant), Albert & Janice Maher (Owners) UP-11-004.

Assistant Planner Neuebaumer: Entered staff report.

Staff recommends that the Planning Commission approve Use Permit 11-004 based on Findings of Fact 1-7 and Conditions of Approval 1-26.

Chair Petersen asked Commission if there were any questions for staff.

Commissioner Marshall: Are we looking at the front elevation with the three dormers or the front elevation with the one long dormer?

Assistant Planner Neuebaumer: The proposed front elevation has one dormer and is located within Exhibit C in the staff report. It includes a cross-gable roof design, with the front gable running in the north-south direction and the rear gable running in the east-west direction.

Chair Petersen: Exhibit C starts with the site plan?

Assistant Planner Neuebaumer: That is correct. The front elevations are on page A.4.

Public Comment Opened.

Al Maher; Applicant: The Architectural Review Committee supported our first design. Our neighbor then had expressed some concerns with the view and lighting. We have since met with our neighbor, her architect and our architect, to create a redesign that works for all parties involved. This has been a challenging process for us and we are now satisfied with the final outcome of the design. I am available for any questions you may have.

Aileen Asselin; Neighbor: I would like to thank the Maher family for their cooperation and flexibility. It has been wonderful to work with people who take the time and effort to make their neighbors comfortable with the new design of the home. On the last page of Exhibit C in the staff report, there is a drawing that shows the height of the home at 15 feet rather than the 14'-1" that was presented to me. Is that correct?

CD Director Akin: That is an error in the report, it should be 14'-1" and it is noted in the correction letter addressed to the Planning Commission.

Public Comment Closed.

Commissioner Johnson: I would like to show my appreciation to the applicant and the neighbor for coming together and acknowledging each other's concerns. Working together will hopefully create a long-lasting good-neighbor rapport.

Motion to approve Use Permit 11-004 based on Findings of Fact (1-7) and Conditions of Approval (1-26).

Commissioner Johnson /Chase

VOTE: 7-0
 AYES: All Commissioners Present.
 NOES: None
 ABSTAIN: None

Chair Petersen advised of a 10-day appeal period

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvement s in the neighborhood or to the general welfare of the city.
3. The proposed development will be consistent with the general plan.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with

the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.

6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.
7. That any proposed single-family or two-family dwelling conforms to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time.

CONDITIONS OF APPROVAL

Community Development Department - (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 11-004 shall not be valid for any purpose. Use Permit 10-007 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included on a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on August 16, 2011 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code or as storage. The residence must have the ability to park one vehicle in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

9. Prior to Final Inspection, 15% of the site shall be landscaped and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director. No more than 80% of the lot shall consist of impervious surface.
10. The residence shall meet 2010 California Green Building Standards Code - California Code of Regulations, Title 24, Part 11 – Tier One measures. The applicant shall submit the green building checklist with the building permit submittal.
11. The developer shall indemnify, defend, and hold harmless the city, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the city's consideration and/or approval of the developer's application for development.

Department of Public Services - (650) 616-7065

12. Please note that the front property line is located 2 feet behind the sidewalk on Acacia Avenue. No fences, retaining walls, or other permanent structure shall be placed or constructed within 2 feet from back of sidewalk along Acacia Avenue. S.B.M.C. 8.08.010.
13. The Applicant shall provide flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2010.
14. Encroachment Permit from Public Works Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010.
15. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
16. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Acacia Avenue. S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.
17. If not present, the applicant shall install a sanitary sewer lateral clean-out at property line per City standards detail SS-01
18. Paint address number on face of curb near driveway approach. Black lettering on white background.
19. Erosion control plan and storm water pollution prevention plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.
20. Storm water from new and existing roof down spouts and other on-site drainage, shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03.
21. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas

shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020

22. Perform water demand calculation based requirements in Chapter 7 of the California Plumbing Code to confirm that the existing water service and meter are sufficient to serve water demand. If existing meter is undersized, a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of water meter. S.B.M.C. 10.14.020/110.

Fire Department- (650) 616-7096

23. A NFPA 13D fire sprinkler system shall be required for the project. The coverage shall include standard 13D fire sprinkler requirements, plus coverage to the garage and a single pilot head to the attic. The Fire Sprinkler Permit shall be approved prior to issuance of a building permit.
24. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
25. Provide hard-wired smoke detectors with battery backup as required by building code.
26. Provide spark arrester for chimney if not currently in place.

6. Discussion

- A. City Staff Discussion:** Commissioners Chase, Biasotti, and Marshall volunteered for the September 15, 2011 Architectural Review Committee meeting.

CD Director Akin: There were a few cell site applications approved at the Planning Commission level; The most recent is the one on Maple Avenue and the one at Grundy Park. There were several iterations on these applications going through the Planning Commission process in order to get approved. There ended up being a neighborhood protest for the application on Maple. A resident who did not receive the legal notice because they were renters started the protest. The protest was more focused on health concerns, which is not in the City's jurisdiction to deny the application. The protest did receive some press coverage and the City did contact T-Mobile to see if there were other alternatives for the project. In the end, T-mobile found that they would need to reconstruct the pole because it was not structurally stable to hold the antennas. T-Mobile then cancelled the project, which then satisfied the protestors' needs. Lastly, the project at Grundy Park is moving forward and is currently being reviewed in the building permit process.

CD Director Akin: An update on current developments:

- Cedar Mills formerly called Cedar Grove, is moving forward with the building permit, and is currently in plan check.
- Pacific Bay Vistas, formerly called Treetops, is in the final stages of their HUD application process and should be pulling their building permit very soon. They are still anticipating starting their construction in October 2011.

CD Director Akin: Glenview Update. As you know there were thirty-eight homes destroyed in the fire. We have issued six building permits for the complete rebuild homes thus far. We also have about five other applications in the building review stage as well as a couple applications in the planning review stage. I can anticipate there being about eleven homes undergoing

construction by the end of September. There are now a total of thirteen homeowners that are in some stage of permits or planning and moving forward. There are six homeowners that are participating in the PG&E buy-out program and are in the process of closing escrow. The city has asked that PG&E repair the yellow-tagged homes that they own so that they do not cause further blight to the neighborhood. For the homes PG&E bought that were destroyed, the City is still in discussion with PG&E and we plan to do some outreach to the neighbors to get ideas on what type of construction they would like to see on those lots. There will be a one-year memorial in September and more information will be made available for the public soon.

B. Planning Commission Discussion:

Commissioner Marshall: Was the city given plans for the construction going on at Parkside School?

CD Director Akin: The city had one meeting with the contractor and they independently did a neighborhood outreach. They are under the Department of the State Architect and not under the local zoning authority. I do know that they were under some type of time constraint because they were trying to complete construction prior to the new school year.

Commissioner Chase: I reside near the Parkside School and I did attend the outreach meeting. It seems like they are exceeding the scope of work that was presented to us at the outreach meeting. I'm sure in the end the school will look nice, but it is definitely very large.

Commissioner Biasotti: Are you familiar with the California Energy Upgrade Program?

CD Director Akin: I am familiar with it; however, I do not know all the details. Jim Shannon in the Public Services Department is the lead on that project.

Commissioner Biasotti: I believe there is a meeting about it on August 23rd?

CD Director Akin: The information will be posted on our website.

Commissioner Johnson: I wanted to welcome back Tony Rozzi.

Contract Associate Planner Rozzi: Thank you.

Chair Petersen: On the cell site application that was protested by a resident who did not receive the notice because they were renters, in order to ensure that resident received the notice the city would have had to mail it to owners and occupants?

CD Director Akin: Yes, the city would have to mail to the property owners and to current occupants within the 300 ft radius.

7. Adjournment

Meeting was adjourned at 7:33 pm



Aaron Akin
Secretary to the Planning Commission
City of San Bruno



Perry Petersen, Chair
Planning Commission
City of San Bruno

NEXT MEETING: September 20, 2011